

**Remarks by Rep. Henry A. Waxman
American Academy of Family Physicians
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Thank you for your warm welcome. It is a pleasure to be here with a group that I know shares my commitment to health and wellbeing and recognizes the importance of enhancing access to primary care for all Americans.

When I accepted this invitation to speak to you, right after we had announced a bipartisan, bicameral deal on the Medicare physician payment reform bill, I was hoping that I would have exceptionally good news to share. I was hopeful that by now, we would have a permanent fix to the Medicare physician payment system enacted into law.

Unfortunately, it seems like the Republican leadership did not share my enthusiasm about moving this deal forward, and rather than being able to celebrate victory, I can only say that at this point Congress has simply enacted another patch, kicking the ball down the road once more.

The biggest obstacle to passing the permanent reform bill was agreeing upon offsets. My Republican counterparts, when it suits them, have been perfectly willing to pass trillions in tax cuts without requiring any offsets whatsoever. But they held physician payment reform to a different standard, demanding that cuts be made. We offered reducing the Overseas Contingency Operations fund to offset the \$150 billion cost of the bill, recognizing that as our responsibility in Iraq and Afghanistan winds down that money is no longer needed. Again, this common sense approach was rejected.

I am not sure I understand why my Republican colleagues are taking a hard line insisting that physician reform be treated differently than tax cuts, and that the only way reform can be paid for is by taking cuts from beneficiaries or other providers. But that is the situation we find ourselves in.

Now that the one year patch was signed into law, it seems less likely that we will be able to garner momentum to move forward on a permanent fix, but I certainly am committed to moving forward on this.

The good news I do have to share, however, is about the success of the Affordable Care Act. One week ago today, was the enrollment deadline for the Affordable Care Act – and enrollment surpassed expectations. More than 7.1 million Americans enrolled in the market place. And once numbers come in from the more than a dozen states that run their own Marketplaces, it will be higher.

The surge in enrollment we saw during the final days of open enrollment was remarkable. In the waning hours of enrollment there were 4.8 million visits to HealthCare.gov and about 2 million calls to CMS call centers. ACA enrollment has already well outpaced Medicare Part D enrollment, which only reached 70 percent of its CBO estimate.

In addition to this most recent success, preliminary data indicates that at least 3 million people are newly enrolled through the Medicaid expansion; discrimination based on pre-existing conditions is a thing of the past; the self-employed and entrepreneurs finally have access to good, affordable coverage; and this comes on top of millions more young Americans getting covered under their

parents' plans, the full Patients' Bill of Rights, huge savings for seniors on prescription drugs, and encouraging trends in controlling health care costs.

We have a lot to be proud of, and I want to thank you all, for your support of the ACA, and your support as we have moved forward to change our nation for the better.

The Medicaid expansion has similarly gone well. It is not something you hear a lot about, but it is an important component of the ACA and it is bringing insurance and peace of mind to millions of low income Americans who had nothing at all prior to this law.

While there are still a number of states that have not taken up the Medicaid expansion, I firmly believe time will change minds. Providers like you all, the hospitals who bear the brunt of the uninsured crisis, and consumer advocates and patients will ultimately win out. I believe we will see more and more states take the morally and fiscally sound path to expand Medicaid coverage.

One of the biggest concerns people had in expanding Medicaid was the issue of access. State payment rates have been notoriously low, and some say that is a deterrent to physician participation. As you all know the ACA worked to address that by providing a two year boost in payments for primary care. This ends at the end of the year. One of my top priorities before leaving office is to get this provision extended.

Not surprisingly, Republicans have been dug in against it. My Republican colleagues would not dream of asking physicians serving Medicare patients do work for a fraction of the cost of doing business. They would be up in arms if

someone suggested reducing fees to physicians in Medicare, and in fact just passed a law extending the 0.5 percent payment boost. But for some reason when it comes to **Medicaid**, they are opposed to the idea physicians should be paid adequately.

I hope as you are visiting the Hill this week you will make sure to raise this important issue and the urgency of getting the primary care bump extended this year.

On the public health front, this year we have advanced several bipartisan public health bills through the House, some of which have already been signed into law. Recent accomplishments include legislation that reauthorizes graduate medical education training for pediatricians and pediatric subspecialists at freestanding children's hospitals, and a bill that reauthorizes the poison control center program. There are also a number of additional measures of interest to Democratic and Republican members alike.

I also want to note that there has been a great deal of attention on the issue of mental health and how we can improve the nation's mental health system. The increased coverage provided by the ACA and the mental health benefits it requires will make a substantial improvement in the lives of millions of Americans who need these services. The expansion of Medicaid in many states has also made a huge difference, though regrettably some states still refuse to extend their programs. But still, more needs to be done.

Congressman Murphy and I have both introduced mental health legislation, and many other Members -- on both sides of the aisle -- have expressed an interest in working together on this topic. I hope we will look at all the ideas that have been put forward and work in a bipartisan manner on mental health legislation.

I know that combatting tobacco use is of great interest to many of you in the audience. The Family Smoking Prevention and Tobacco Control Act, which I authored, gives the Food and Drug Administration the explicit authority to regulate the manufacture, distribution, and marketing of tobacco products. This law gives FDA important authorities to take necessary regulatory action in response to emerging public health threats to protect the public from the dangers of tobacco use.

We have made great progress in the battle against tobacco since the first Surgeon General's report on smoking was released 50 years ago. But our work is far from done. Every year, at least 480,000 Americans die from smoking-related causes. Each day, more than 3,200 youth try their first cigarette. And every year, smoking costs the nation hundreds of billions in health bills and lost productivity.

I have called on the FDA to exercise its regulatory authority and issue rules that will allow the agency to oversee e-cigarettes and other tobacco products currently unregulated by FDA. We must stop the e-cigarette makers from marketing their products to kids and getting them hooked on nicotine, a highly addictive drug. We must ban candy-flavored cigars that are tempting our youth.

There are other important steps the Federal government must take like raising the tax on all tobacco products and closing loopholes that let companies

avoid federal taxes, and making sure tobacco cessation services are available to all Americans through ACA.

Of course there is also an important role in the tobacco control movement for other levels of government and the private sector. Take, for example, CVS Caremark's recent announcement to cease the sale of tobacco products in their retail pharmacies. We need more retailers to step up to the plate and stop selling tobacco.

In closing, Congress has a busy year ahead. Over the course of my 40 years in office I have had the great honor to work on the most important health care issues that have shaped our health care infrastructure, improving lives and finding cures. I will apply myself with as much energy and effort this year as I have before, and I hope that there will be more legislation to come before this year comes to a close.